

REMARKS

Favorable reconsideration of this application, in view of the present amendments and in light of the following discussion, is respectfully requested.

Claims 23-42 are pending, Claims 23-42 are amended and Claims 43 and 44 were previously withdrawn. No new matter is introduced.

In the outstanding Office Action, Claims 23-42 were rejected under 35 U.S.C. §112, first paragraph; and Claims 23-42 were rejected under 35 U.S.C. §112, second paragraph.

Initially, Applicants wish to thank Examiner Diaz for the courtesy of an interview conducted with Applicants' representatives on August 31, 2011. During the interview, the outstanding issues in this case were discussed as summarized herein below and in the Interview Summary, which the Examiner has made of record. Examiner Diaz stated that the amendments presented herein appear to overcome the 35 U.S.C. §112 rejections.

In reply to the rejection of Claims 23-42 under 35 U.S.C. §112, first paragraph, it is respectfully submitted that the claim amendments made herein render the rejection moot. Accordingly, it is respectfully submitted that the rejection of Claims 23-42 under 35 U.S.C. §112, first paragraph, be withdrawn.

In reply to the rejection of Claims 23-42 under 35 U.S.C. §112, second paragraph, it is respectfully submitted that the claim amendments made herein render the rejection moot. Specifically, with respect to the rejection of Claim 42, Applicants note paragraph 32 of the present invention which describes that "a knock-out protection element determines ... the behavior or the influence of the entire group with respect to the evaluation of the optimization system (10) when a given limit value of the knock-out protection element is reached."

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Accordingly, it is respectfully submitted that the rejection of Claims 23-42 under 35 U.S.C. §112, second paragraph, be withdrawn.

For the reasons discussed above, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance for Claims 23-42 is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.



James J. Kulbaski  
Attorney of Record  
Registration No. 34,648

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 08/09)

Jonathan W. Parthum  
Registration No. 64,082